

MELINDA BIRD (SBN 102236)  
 MARILYN HOLLE (SBN 61530)  
 DEBORAH DORFMAN (CRLSA No. 801060)  
 DISABILITY RIGHTS CALIFORNIA  
 LOS ANGELES REGIONAL OFFICE  
 3580 Wilshire Blvd., Ste. 902  
 Los Angeles, CA 90010  
 Telephone: (213) 427-8747  
 Facsimile: (213) 427-8767  
[Melinda.bird@disabilityrightsca.org](mailto:Melinda.bird@disabilityrightsca.org)  
[Debbie.dorfman@disabilityrightsca.org](mailto:Debbie.dorfman@disabilityrightsca.org)  
[Marilyn.holle@disabilityrightsca.org](mailto:Marilyn.holle@disabilityrightsca.org)

*Attorneys for Named Plaintiffs and the Proposed Class*  
*Additional Attorneys for Named Plaintiffs and the*  
*Proposed Class on Signature Page*

STEPHEN P. BERZON (SBN 46540)  
 EVE H. CERVANTEZ (SBN 164709)  
 STACEY M. LEYTON (SBN 203827)  
 PEDER J. THOREEN (SBN 217081)  
 Altshuler Berzon LLP  
 177 Post Street, Suite 300  
 San Francisco, California 94108  
 Telephone: (415) 421-7151  
 Facsimile: (415) 362-8064  
[sberzon@altshulerberzon.com](mailto:sberzon@altshulerberzon.com)  
[ecervantez@altshulerberzon.com](mailto:ecervantez@altshulerberzon.com)  
[sleyton@altshulerberzon.com](mailto:sleyton@altshulerberzon.com)  
[pthoreen@altshulerberzon.com](mailto:pthoreen@altshulerberzon.com)  
*Attorneys for Plaintiffs SEIU-UHW, SEIU-ULTCW, SEIU*  
*Local 521, SEIU California State Council, UDW, and CUHW*

UNITED STATES DISTRICT COURT  
 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO/OAKLAND DIVISION

V.L., <i>et al.</i> ,	)	Case No.: CV 09-04668 CW
	)	
	)	
Plaintiffs	)	<b>STIPULATION AND ORDER</b>
	)	<b>CONTINUING THE FURTHER CASE</b>
v.	)	<b>MANAGEMENT CONFERENCE</b>
	)	<b>PENDING RESOLUTION OF</b>
WAGNER, <i>et al.</i> ,	)	<b>DEFENDANTS' PRELIMINARY</b>
	)	<b>INJUNCTION APPEAL IN THE NINTH</b>
Defendants	)	<b>CIRCUIT</b>
	)	
	)	
	)	
	)	
	)	

1 WHEREAS defendants' preliminary injunction appeal is currently pending in the Ninth  
2 Circuit;

3 WHEREAS oral argument on that appeal was heard and the matter submitted on June 15,  
4 2010;

5 WHEREAS the Ninth Circuit deferred resolution of the preliminary injunction appeal  
6 pending the United States Supreme Court's decision in the consolidated appeals in *Douglas v. Indep.*  
7 *Living Ctr.*, 572 F.3d 644 (9<sup>th</sup> Cir. 2009), *Douglas v. Calif. Pharmacists Ass'n*, 2010 WL 737650 (9<sup>th</sup>  
8 Cir. March 3, 2010) and *Douglas v. Santa Rosa Mem. Hosp.*, 2010 WL 2124276 (9<sup>th</sup> Cir. May 27,  
9 2010), *certiorari granted*, 2011 WL 134272 (U.S. No. 09-958, Jan. 18, 2011) or upon further order  
10 of the court; and

11 WHEREAS the parties agree that it would be more efficient for the Court and the parties to  
12 continue the further case management conference pending resolution of the preliminary injunction  
13 appeal:

14 IT IS HEREBY STIPULATED between the parties through their respective counsel that,  
15 subject to Court approval:

- 16 1. The further case management conference scheduled for April 12, 2011 is taken off  
17 calendar.
- 18 2. The further case management conference will be rescheduled for September 13, 2011 at  
19 2:00 PM.

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1           3. The parties, by filing another Stipulation and Order, may request an earlier or later date  
2           for the further case management conference depending on the date the Ninth Circuit  
3           issues its opinion.

4  
5 Dated: April 5, 2011

Respectfully submitted,

/s/ Frederick P. Nisen

DARA L. SCHUR (SBN 98638)

FREDERICK P. NISEN (SBN 184089)

JUNG PHAM (SBN 251232)

DISABILITY RIGHTS CALIFORNIA

BAY AREA REGIONAL OFFICE

1330 Broadway, Suite 500

Oakland, CA 94612

Telephone: (510) 267-1200

Facsimile: (510) 267-1201

[Dara.schur@disabilityrightsca.org](mailto:Dara.schur@disabilityrightsca.org)

[Fred.nisen@disabilityrightsca.org](mailto:Fred.nisen@disabilityrightsca.org)

[Jung.pham@disabilityrightsca.org](mailto:Jung.pham@disabilityrightsca.org)

SUJATHA JAGADEESH BRANCH (SBN 166259)

DISABILITY RIGHTS CALIFORNIA

SACRAMENTO REGIONAL OFFICE

100 Howe Street, Suite 235 N

Sacramento, CA 95825

Telephone: (916) 488-9950

Facsimile: (916) 488-9960

[Sujatha.branch@disabilityrightsca.org](mailto:Sujatha.branch@disabilityrightsca.org)

MELINDA BIRD (SBN 102236)

MARILYN HOLLE (SBN 61530)

DEBORAH DORFMAN (CRLSA No. 801060)

DISABILITY RIGHTS CALIFORNIA

LOS ANGELES REGIONAL OFFICE

3580 Wilshire Blvd., Ste. 902

Los Angeles, CA 90010

Telephone: (213) 427-8747

Facsimile: (213) 427-8767

[Melinda.bird@disabilityrightsca.org](mailto:Melinda.bird@disabilityrightsca.org)

[Debbie.dorfman@disabilityrightsca.org](mailto:Debbie.dorfman@disabilityrightsca.org)

[marilyn.holle@disabilityrightsca.org](mailto:marilyn.holle@disabilityrightsca.org)

ANN MENASCHE (SBN 74774)  
DISABILITY RIGHTS CALIFORNIA  
SAN DIEGO REGIONAL OFFICE  
1111 Sixth Avenue, Suite 200  
San Diego, CA 92101  
Telephone: (619)239-7861  
Facsimile: (619)239-7906  
[Ann.menasche@disabilityrightsca.org](mailto:Ann.menasche@disabilityrightsca.org)

PAULA PEARLMAN (SBN 109038)  
SHAWNA PARKS (SBN 208301)  
DISABILITY RIGHTS LEGAL CENTER  
919 Albany Street  
Los Angeles, CA 90015  
Telephone: (213) 736-1031  
Facsimile: (213) 736-1428  
[Paula.pearlman@lls.edu](mailto:Paula.pearlman@lls.edu)  
[Shawna.parks@lls.edu](mailto:Shawna.parks@lls.edu)

CHARLES WOLFINGER (SBN 63467)  
LAW OFFICE OF CHARLES WOFLINGER  
4655 Cass Street # 314  
San Diego, CA 92109  
Telephone: (858) 272-8115  
Facsimile: (858) 270-3960  
[Cw@charleswolfinger.com](mailto:Cw@charleswolfinger.com)

JANE PERKINS (SBN 104784)  
NATIONAL HEALTH LAW PROGRAM  
211 N. Columbia Street  
Chapel Hill, NC 27514  
Telephone: (919) 968-6308  
Facsimile: (919) 968-8855  
[perkins@healthlaw.org](mailto:perkins@healthlaw.org)

ANNA RICH (SBN 230195)  
NATIONAL SENIOR CITIZEN LAW CENTER  
1330 Broadway, Suite 525  
Oakland, CA 94612  
Telephone: (510) 663-1055  
Facsimile: (510) 663-1051

*Attorneys for Named Plaintiffs V.L., David  
Oster, Willie Beatrice Sheppard, Dotty Jones, C.R., and  
the Plaintiff Class*

1 Dated: April 5, 2011

/s/ Eve H. Cervantez

STEPHEN P. BERZON (SBN 46540)

EVE H. CERVANTEZ (SBN 164709)

STACEY M. LEYTON (SBN 203827)

PEDER J. THOREEN (SBN 217081)

Altshuler Berzon LLP

177 Post Street, Suite 300

San Francisco, California 94108

Telephone: (415) 421-7151

Facsimile: (415) 362-8064

[sberzon@altshulerberzon.com](mailto:sberzon@altshulerberzon.com)

[ecervantez@altshulerberzon.com](mailto:ecervantez@altshulerberzon.com)

[sleyton@altshulerberzon.com](mailto:sleyton@altshulerberzon.com)

[pthoreen@altshulerberzon.com](mailto:pthoreen@altshulerberzon.com)

Attorneys for Plaintiffs SEIU-UHW, SEIU-ULTCW,  
SEIU Local 521, SEIU California State Council,  
UDW, and CUHW

12 Dated: April 5, 2011

Respectfully submitted,

/s/Gregory D. Brown

KAMALA HARRIS

Attorney General of California

KARIN S. SCHWARTZ

SUSAN M. CARSON

Supervising Deputy Attorneys General

JOSHUA N. SONDEIMER

GREGORY D. BROWN (SBN 219209)

Deputy Attorneys General

Attorneys for Defendants

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GENERAL ORDER 45 ATTESTATION

I, Frederick P. Nisen, am the ECF user whose ID and password are being used to file this stipulation and proposed order. In compliance with General Order 45, X.B., I hereby attest that plaintiffs' counsel and defendants' counsel have concurred in the filing of this document with their electronic signatures.


Dated: April 5, 2011

/s/ Frederick P. Nisen

Frederick P. Nisen

GOOD CAUSE APPEARING, PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 4/6/2011

  
The Honorable Claudia Wilken  
United States District Judge